

Letter to Congressional Leaders on the Determination Not To Prohibit Fish Imports From Venezuela and Vanuatu

January 10, 1992

Dear Mr. Speaker: (Dear Mr. President:)

Pursuant to the provisions of subsection (b) of the Pelly Amendment to the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978), I am reporting to you that the Secretary of Commerce reported to me that the countries of Venezuela and Vanuatu have been under a court-ordered embargo since March 26, 1991. No yellowfin tuna or products derived from yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) by purse seine vessels of Venezuela and Vanuatu may be imported into the United States.

The Secretary's letter to me is deemed to be a certification for the purposes of subsection (a) of the Pelly Amendment. Subsection (a) requires that I consider and, at my discretion, order the prohibition of imports into the United States of fish and fish products from Venezuela and Vanuatu to the extent that such prohibition is consistent with the General Agreement on Tariffs and Trade. Subsection (b) requires me to report

to the Congress within 60 days following certification on the actions taken pursuant to the certification; if all fish imports have not been prohibited, the report must state the reasons for doing so.

After thorough review, I have determined that, given that an embargo is currently in effect and given the negotiations toward an international dolphin conservation program in the ETP, sanctions will not be imposed at this time. Venezuela and Vanuatu will continue to be certified, and we will review their marine mammal incidental mortality under the Marine Mammal Protection Act if findings are requested for 1992. I will make further reports to you as developments warrant.

Sincerely,

GEORGE BUSH

Note: Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Dan Quayle, President of the Senate.

Letter to Congressional Leaders on the Determination Not To Prohibit Fish Imports From Certain Countries

January 10, 1992

Dear Mr. Speaker: (Dear Mr. President:)

Pursuant to the provisions of subsection (b) of the Pelly Amendment to the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978), I am reporting to you that the Secretary of Commerce has reported to me that the countries of Costa Rica, France, Italy, Japan, and Panama have been under an embargo since May 24, 1991. No yellowfin tuna or products derived from yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) by purse seine vessels of Mexico, Venezuela, or Vanuatu may be imported into the United States from these nations.

The Secretary's letter to me is deemed to be a certification for the purposes of subsection (a) of the Pelly Amendment. Subsection (a) requires that I consider and, at my discretion, order the prohibition of imports into the United States of fish and fish products from Costa Rica, France, Italy, Japan, and Panama, to the extent that such prohibition is consistent with the General Agreement on Tariffs and Trade. Subsection (b) requires me to report to the Congress within 60 days following certification on the actions taken pursuant to the certification; if fish and wildlife imports have not been prohibited, the report must state the rea-

sons for the lack of a prohibition.

After thorough review, I have determined that, given that an embargo is currently in effect and given the negotiations towards an international dolphin conservation program in the ETP, sanctions will not be imposed against intermediary nations at this time. Costa Rica, France, Italy, Japan, and Panama will continue to be certified, and we will review their status as intermediary nations under the Marine Mammal Protection

Act, if requested for 1992. I will make further reports to you as developments warrant.

Sincerely,

GEORGE BUSH

Note: Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Dan Quayle, President of the Senate.

Letter to Congressional Leaders Reporting on the National Emergency With Respect to Libya

January 10, 1992

Dear Mr. Speaker: (Dear Mr. President:)

I hereby report to the Congress on the developments since my last report of July 9, 1991, concerning the national emergency with respect to Libya that was declared in Executive Order No. 12543 of January 7, 1986. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. 1703(c); and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c).

1. Since my last report on July 9, 1991, the Libyan Sanctions Regulations (the "Regulations"), 31 C.F.R. Part 550, administered by the Office of Foreign Assets Control ("FAC") of the Department of the Treasury, have been amended. One amendment, published on August 5, 1991, 56 *Fed. Reg.* 37156, added the names of 12 companies to Appendix A of the Regulations, which contains a list of organizations determined to be within the definition of the term "Government of Libya" (Specially Designated Nationals of Libya). This amendment also added a new Appendix B, "Individuals Determined to be Specially Designated Nationals of Libya," containing the names of persons determined to be acting, or purporting to act, directly or indirectly on behalf of the Government of Libya. An amendment removing one name from Ap-

pendix B was published on December 20, 1991, 56 *Fed. Reg.* 65993. A further amendment of the Regulations, effective December 19, 1991, 56 *Fed. Reg.* 66334 (Dec. 20, 1991), with a correction published on January 7, 1992, 57 *Fed. Reg.* 525, revoked the authorization set forth in Section 550.514 that permitted transfers between two non-Libyan foreign banks located outside the United States to clear through accounts located in the United States when the money is being sent to or from the Government of Libya. This action was taken as a partial response to evidence of the Government of Libya's role in the bombing of Pan Am Flight 103. Copies of these amendments and correction are enclosed.

2. During the current 6-month period, FAC made numerous decisions with respect to applications for licenses to engage in transactions under the Regulations, issuing three new licenses and amending three previously issued licenses. The new licenses typically permit, for the benefit of U.S. persons, minor transactions of little or no economic benefit to Libya. The license amendments permit several U.S. firms with substantial pre-embargo investments in their Libyan oil concessions to renew standstill agreements preserving their interests despite nonperformance of concession agreements due to the U.S. sanctions.

3. Various enforcement actions mentioned in previous reports continue to be